



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Office of
Public Health
Science

Midwestern Laboratory
4300 Goodfellow Bldg 105D
St. Louis, MO 63120-005

Kris Goschen
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, KS 66101

December 21, 2006

Received
12/28/06 KGS

Dear Mr. Goschen:

On November 30, 2006, David N. Whiting, Environmental Engineer, Environmental Protection Agency, Region VII, conducted a RCRA Compliance Audit at Midwestern Laboratory. Mr. Whiting gave me a Compliance Assistance Visit Notice of Findings with two citations listed. The corrective actions taken for these two citations follow.

40 CFR 262.34 (d) Incomplete emergency information posted by phone.

- The name and telephone number of the emergency coordinator and back up, with the telephone number of the fire department, "911," was posted on the wall of Building 141 C along with a map showing the location of the fire extinguishers and spill control material. A fire alarm is not in this building nor is there a phone. Personnel carry a cell phone with them while in this building.
- The name and telephone number of the emergency coordinator and back up, with the telephone number of the fire department, "911," with maps of Building 141 C, the first and second floors of Building 105D, the main laboratory building, showing the location of the fire extinguishers, spill control material, and fire alarms are posted by the emergency coordinator's desk. (Copies are enclosed along with pictures of the posted information.) This information has also been given to the back-up emergency coordinator, and two employees in Administration to keep with their phones. Building 105D does have a direct alarm to the fire department.

40 CFR 279.22 (c) Used oil container should be marked "used oil" rather than "waste oil."

Pre-printed labels with the words "Used Oil" and a form for filling in the generator's information were procured. The labels were filled out and affixed to the bottles of used oil. A picture and a label is enclosed.

The Facility Questionnaire to determine the level of our facility's awareness of and compliance with the recycled content procurement requirements of Executive Order 13101, Section 6002 of the Resource Conservation and Recovery Act (RCRA) is also enclosed. In the package are the Department of Agriculture's *Green Purchasing Affirmative Procurement Program*, dated June 30, 2006, and also the department's *Biobased Affirmative Procurement Program*, dated May 8, 2006, as requested documentation for question #2. Currently, Midwestern Laboratory does not have a program or policy which places a preference on procurement of items containing recycled content or manufactured from recovered materials. Development of a program or policy to assure future compliance with RCRA 6002 and/or EO 13101 will be a significant environmental aspect for our Environmental Management System in 2007.

If you have any questions or concerns regarding the corrective actions or the answers to the facility questionnaire please call me at (314) 263-2686 extension 329 or e-mail me at kathleen.holland@fsis.usda.gov.

Sincerely,

Kathleen P. Holland
Laboratory Staff Officer

RCRA



550434

**Compliance Assistance Visit
Notice of Findings**

Facility Name: USDA-FSIS Midwestern Laboratory
Facility Address: 4300 Good Fellow Blvd. Bldg. 105-D
St. Louis, MO 63120
Facility ID#: M06123790002
Inspector: Daniel M. Whiting Date: 11/30/06

A Compliance Assistance Visit of the above facility has just been completed. The purpose of the visit was to assist the facility in regulatory compliance with their applicable environmental laws and regulations. The following potential violations were identified during the inspection:

<u>Citation</u>	<u>Description of Problem</u>
<u>40 CFR 262.34(d)</u>	<u>Incomplete emergency information posted by phone.</u>
<u>40 CFR 279.22(c)</u>	<u>Used oil containers should be marked 'used oil' rather than 'waste oil'.</u>

This notice is provided to call your attention to those areas of noncompliance at the earliest possible time. This notice does not constitute a compliance order and may not be a complete listing of all violations which may be identified as a result of this visit.

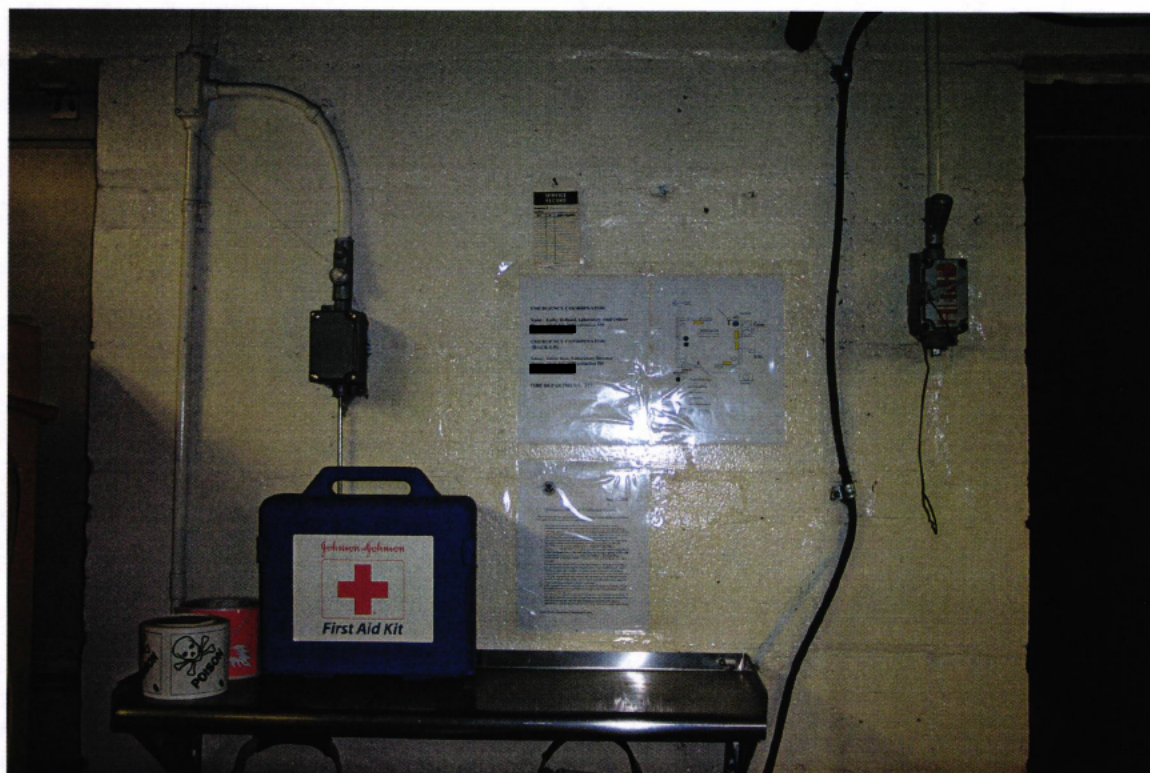
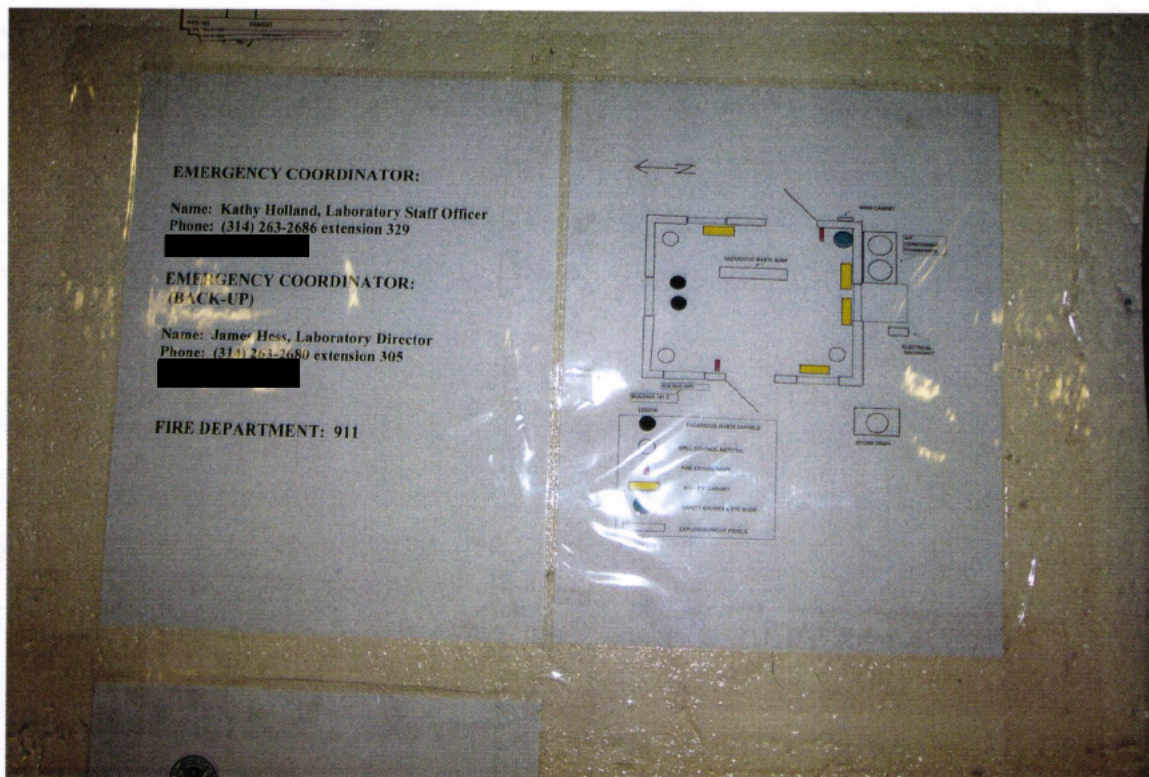
You are hereby requested to submit in writing within **30 days** of receipt of this notice a description of all corrective actions taken and/or a schedule for completion of necessary corrective actions. The response should be submitted to:

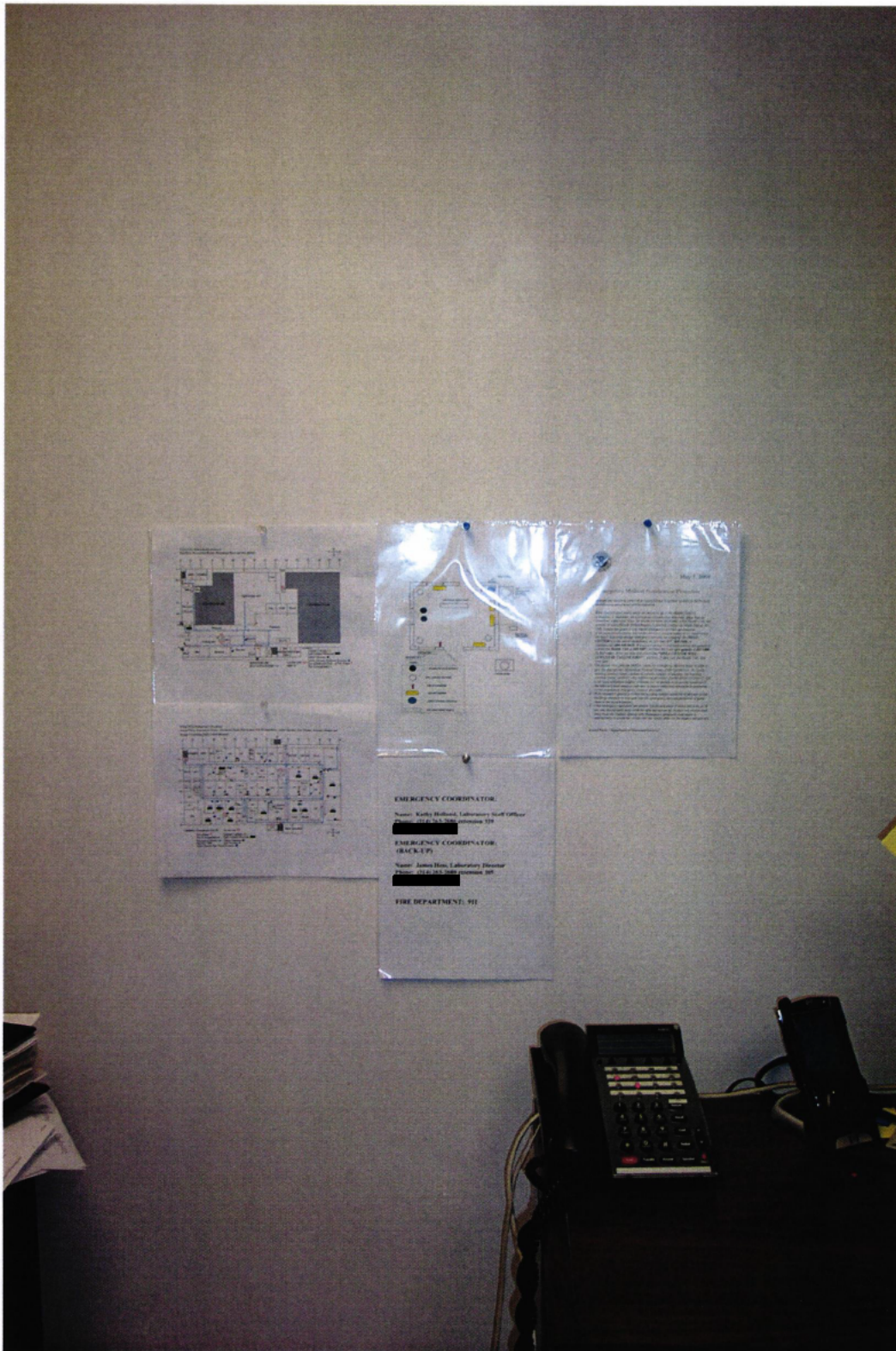
Kris Goschen
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, KS 66101

Phone: (913) 551-7027

The undersigned person hereby acknowledges that he/she has received a copy of this Notice and has read same.

Printed Name: Kathleen P. Holland
Signature: Kathleen P. Holland
Title: Laboratory Staff Officer
Date: 11/30/2006






Ex. 6 PII

EMERGENCY COORDINATOR:

Ex. 6 PII

Name: Kathy Holland, Laboratory Staff Officer

Phone: (314) 263-2686 extension 329



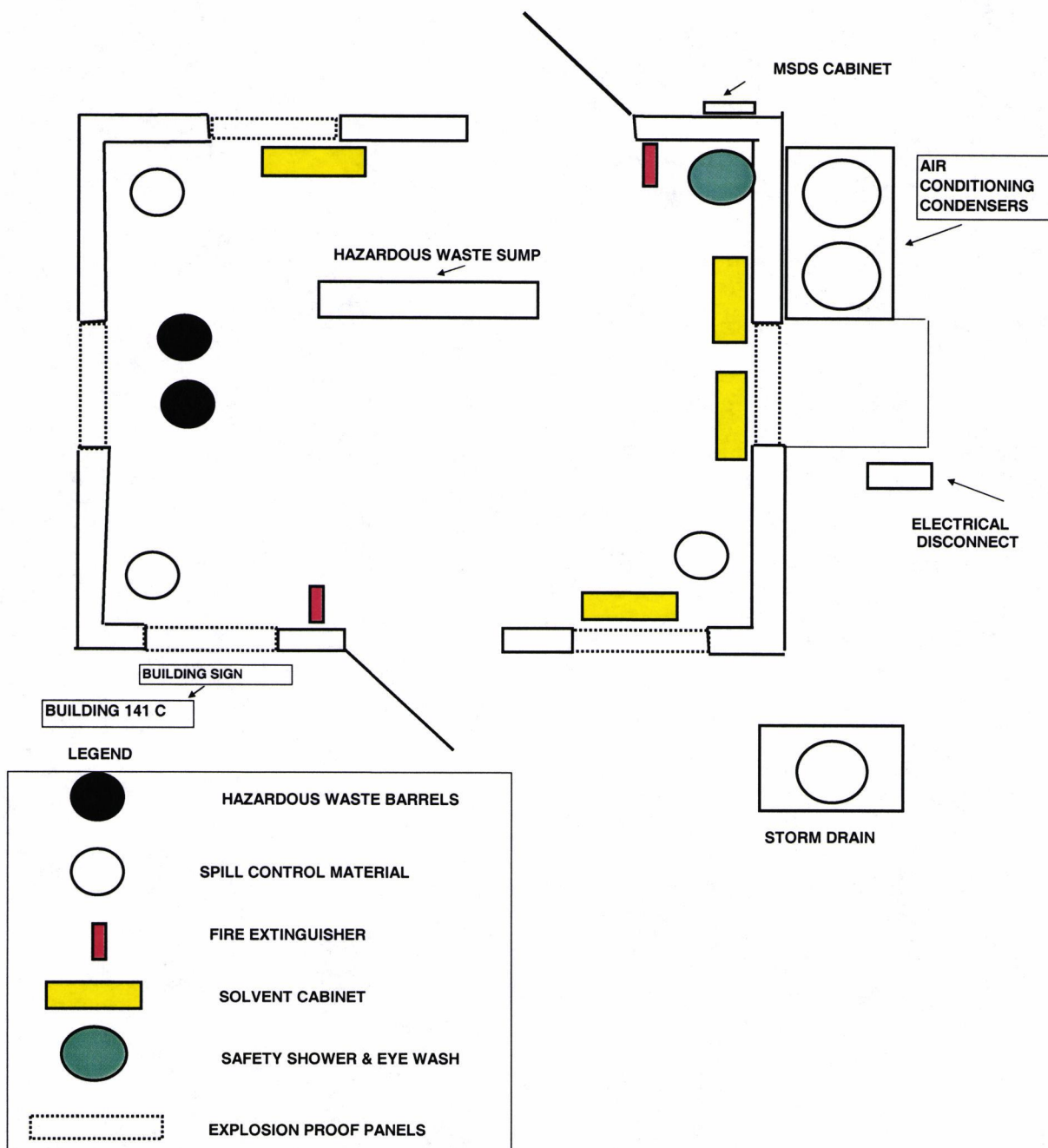
EMERGENCY COORDINATOR: (BACK-UP)

Name: James Hess, Laboratory Director

Phone: (314) 263-2680 extension 305

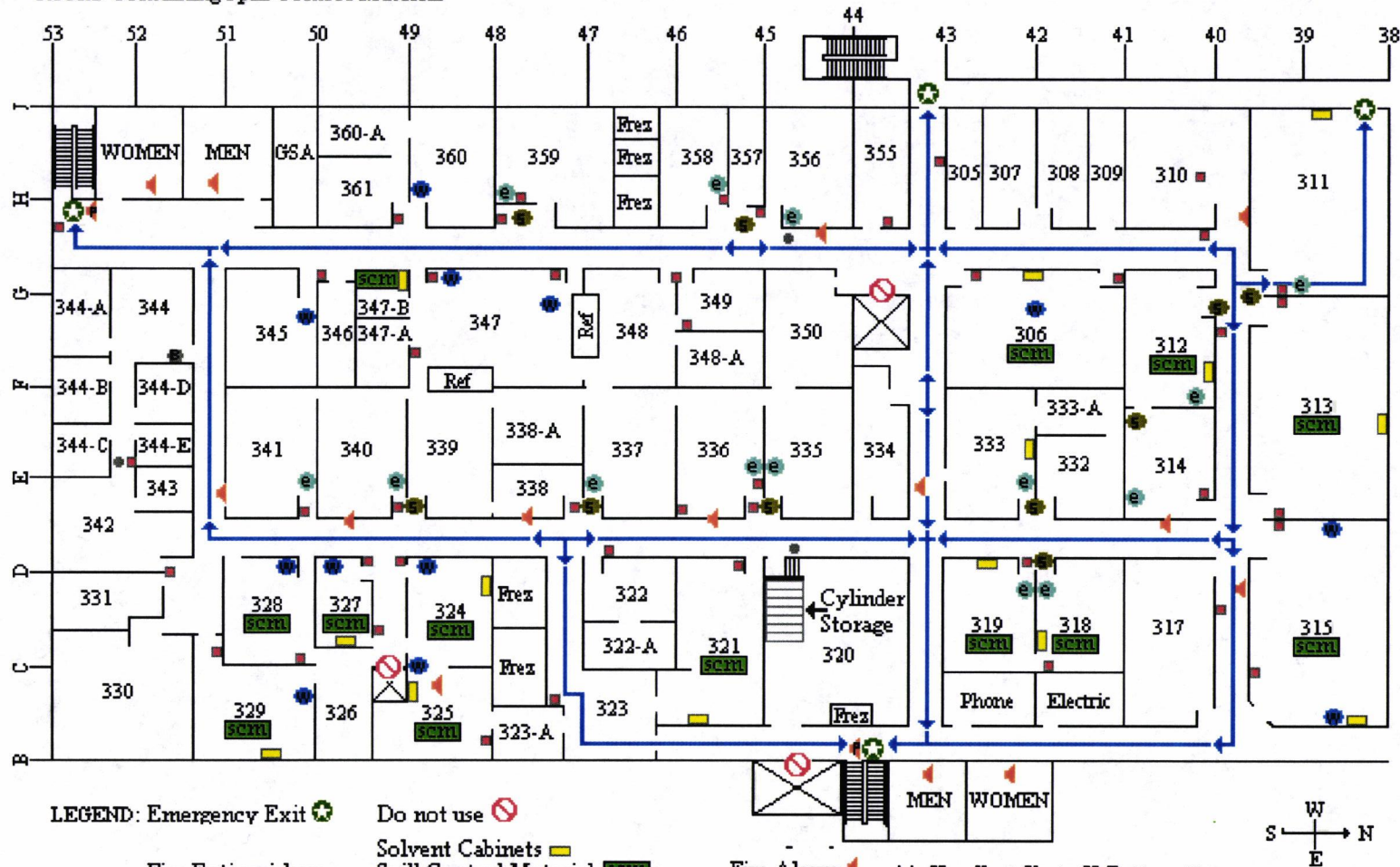


FIRE DEPARTMENT: 911



USDA-FSIS-Midwestern Laboratory

Second Floor Evacuation Routes, Emergency Exits, Fire Alarms Fire Extinguishers, Safety Showers, Eye Washes, Solvent Cabinets and Rooms Containing Spill Control Material



LEGEND: Emergency Exit

Do not use

Fire Extinguishers

Solvent Cabinets

Evacuation Route

Spill Control Material

Elevator

Safety Showers

Safety Shower Eye Wash Stations

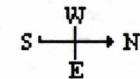
Eye Washes

Fire Alarm

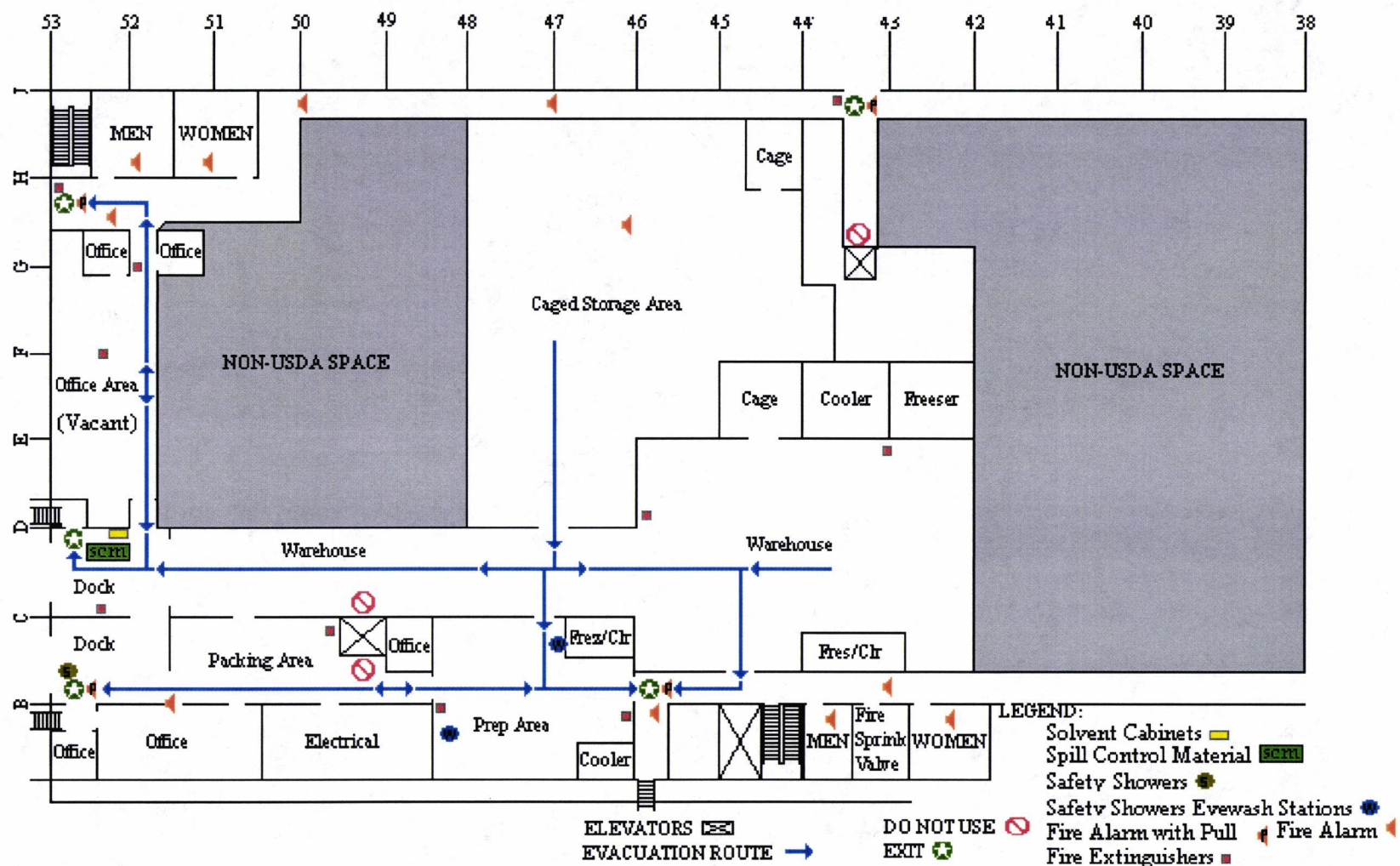
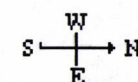
Fire Alarm with pull

Air Handlers Shutoff Button

Air Handlers Shutoff Alarm



USDA-FSIS-Midwestern Laboratory
First Floor Evacuation Routes, Emergency Exits and Fire Alarms



USED OIL

GENERATOR INFORMATION

COMPANY _____

ADDRESS _____

CITY, STATE, ZIP _____

SOURCE _____

CONTACT _____

Lab Safety Supply Inc.

Reorder No. 31192

USED OIL

GENERATOR INFORMATION

COMPANY USDA FSIS
Midwestern Lab

ADDRESS 4300 GoodFellow Blvd
Building 105 D

CITY, STATE, ZIP ST LOUIS MO 63120

SOURCE mass spec pump

CONTACT Wayne Holland
(314) 263-2686 or 329

Lab Safety Supply Inc.

Reorder No. 31192



FACILITY QUESTIONNAIRE

(To be completed by facility)

This questionnaire is designed to determine the level of your facility's awareness of and compliance with the recycled content procurement requirements of Executive Order 13101, Section 6002 of the Resource Conservation and Recovery Act (RCRA), and the corresponding recommendations and guidance provided by EPA. Please respond to each of the questions and return the questionnaire within two weeks to the address printed at the end of this form.

THIS QUESTIONNAIRE SHOULD BE COMPLETED BY THOSE INDIVIDUALS MOST FAMILIAR WITH THE FACILITY'S ENVIRONMENTAL AND PROCUREMENT PROGRAMS.

List below the name, address and point of contact for your facility and the phone number, email address and position of facility personnel completing this questionnaire.

KATHY HOLLAND, LABORATORY STAFF OFFICER
(314) 263-2686 extension 329
kathleen.holland@fsis.usda.gov

PLEASE PROVIDE A RESPONSE TO THE QUESTIONS LISTED BELOW. USE SPACE AT THE END OF THE QUESTIONNAIRE TO PROVIDE CLARIFICATION ON ANY RESPONSE; PLEASE REMEMBER TO INCLUDE THE QUESTION NUMBER WHEN PROVIDING ADDITIONAL INFORMATION OR CLARIFICATION.

#1a) Prior to the receipt of this questionnaire, was your facility's environmental manager aware of the requirements in RCRA 6002 for the procurement of EPA designated recycled content products? yes _____ no X

#1b) Was your facility's procurement manager aware of the requirements in RCRA 6002 for the procurement of EPA designated recycled content products? yes _____ no X

#2) Do you know whether your agency (i.e. Department of Defense, Department of Agriculture) has an Affirmative Procurement Program (APP) established to meet the requirements of EO 12873, EO 13101 and/or RCRA 6002? yes X no _____

If yes to #2, do you have a written or electronic copy of the APP for your agency?
yes X no _____ Copy being sent with this questionnaire.

#3) Does your facility have a policy or program which places a preference on procurement of items containing recycled content or manufactured from recovered materials?
yes _____ no X

If yes to #3, is the program formal (e.g., written policy signed by facility manager, director or commander)? **yes** _____ **no** _____

If yes to #3, does your facility announce and publicize the program to potential and active vendors providing services or materials to the facility? **yes** _____ **no** _____
If yes, how does your facility accomplish this?

If yes to #3, how does your facility promote the program to facility and shop level personnel?

If yes to #3, does your facility monitor and review the effectiveness of the program including the tracking of purchases? **yes** _____ **no** _____

If yes to #3, which entity or office in your facility (e.g., supply - procurement -shop manager) is responsible for implementing the program? (list as many as appropriate)

#4) Does your facility's acquisition and/or procurement planning process investigate and/or emphasize the use of recycled content products? **yes** _____ **no** X

If yes to #4, when you return this questionnaire, please provide a copy of a contract or procurement document or procurement policy that reflects the process described.

#5) Are personnel at your facility who are authorized to use government credit cards for procurement of items for use at your facility informed of the requirement to purchase designated recycled content products? **yes** _____ **no** X

#6) Are records of credit card purchases of designated recycled content items maintained at your facility? **yes** _____ **no** X

#7) Please list a sample of any items you know of that are purchased by your facility which contain recycled content or are manufactured from recovered materials **and are not on EPA's list of designated recycled content items** (that list is attached in matrix form to this document).

I do not know of any items that are purchased by my facility which contain recycled content or recovered materials and are not on EPA's list.

#8) Would you like to receive additional information regarding the Comprehensive Procurement Guidelines? **yes** X **no** _____

#9) Please list any items, issues or questions that are not part of this questionnaire that you feel should be included?

Development of a procurement policy or program
which places a preference on procurement
of items containing recycled content or
manufactured from recovered materials will
be a significant environmental aspect for
our Environmental Management System to assure
future compliance with RCRA 6002 and/or EO 13101
in 2007.

Attached to this document is a matrix listing each of the EPA designated recycled content items. Please complete the matrix by placing an x in the appropriate box beside each item on the matrix.

EPA will be periodically updating this document and the guidance for inspectors. If you have additional suggestions or comments regarding this document, please add them to this page prior to returning it to EPA.

Please complete the attached matrix within 2 weeks of the inspection and return it along with this questionnaire and any other supporting documentation to:

US Environmental Protection Agency – Region 7

Attention:

Kris Goschen or Perce Cox

Environmental Coordination Office (ECO)

Room 5113

901 N 5th St

Kansas City, KS 66101

Questions: Call Kris at 913-551-7027 or email him at goschen.kris@epa.gov
Call Perce at 913-551-7618 or email him at cox.perce@epa.gov

Facility personnel are encouraged to contact the RCRA hotline at 800-424-9346 or search the Internet at <http://www.epa.gov/cpg/products/htm> or <http://www.ofee.gov/> for further information about the Federal Government Buy-Recycled Program.

Comprehensive Procurement Guidelines - Categories and Designated Items (Note: This table includes proposed CPG items as well as items designated final.) Please place a check in <u>all</u> appropriate boxes.	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>VEHICULAR PRODUCTS</u>					
Engine coolants – antifreeze				X	
Re-refined lubricating oils -including motor oil				X	
Retread tires				X	
<u>CONSTRUCTION PRODUCTS</u>					
Building insulation products	X				
Carpet backing	X				
Carpet cushion	X				
Polyester carpet	X				
Cement and concrete	X				
Latex paint	X				
Floor tiles	X				
Laminated paperboard	X				
Patio blocks	X				
Shower and restroom dividers and partitions	X				

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>CONSTRUCTION PRODUCTS</u> (cont)					
Structural fiberboard	X				
Flowable fill	X				
Railroad grade crossings /surfaces	X				
<u>LANDSCAPING PRODUCTS</u>					
Food waste compost	X				
Yard trimmings compost	X				
Landscape timbers and posts	X				
Garden and soaker hoses	X				
Hydraulic mulch	X				
Lawn and garden edging	X				
<u>NON-PAPER OFFICE PRODUCTS</u>					
Plastic binders		X			
Plastic clipboards		X			
Plastic clip portfolios		X			
Plastic file folders		X			

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>NON-PAPER-OFFICE PRODUCTS (cont)</u>					
Plastic presentation folders		X			
Binders (paper, plastic covered)		X			
Office recycling containers		X			
Office waste receptacles		X			
Plastic desktop accessories		X			
Plastic envelopes		X			
Plastic trash bags		X			
Printer ribbons		X			
Toner cartridges		X			
<u>PAPER AND PAPER PRODUCTS</u>					
Printing and writing papers		X			
Newsprint	X				
Sanitary tissue	X				
Paperboard		X			
Packaging		X			

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>PARK and RECREATION PRODUCTS</u>					
Playground equipment	x				
Park and recreational furniture	x				
Plastic fencing	x				
Playground surfaces	x				
Running tracks	x				
<u>TRANSPORTATION PRODUCTS</u>					
Channelizers	x				
Flexible delineators	x				
Parking stops	x				
Traffic barricades	x				
Traffic cones	x				
Delineators	x				

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>MISCELLANEOUS PRODUCTS</u>					
Pallets	X				
Sorbents		X			
Awards and plaques		X			
Industrial drums		X			
Mats		X			
Signage		X			
Strapping and stretch wrap		X			

If you responded yes to any items in column three, "Purchased with recycled content," please list below those items purchased with recycled content at or above the EPA recommended level.

From: Origin ID: (314)263-2686
Kathleen Holland
USDA FSIS Midwestern Laborator
4300 Goodfellow Blvd, Bldg 105 D

St. Louis, MO 63120



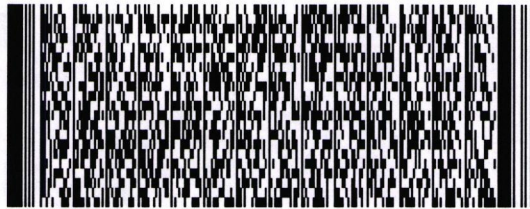
CLS 100306/10/23

SHIP TO: (913)551-7027

BILL SENDER

Kris Goschen
U.S. Environmental Protection Agenc
901 N. 5th Street

Kansas City, KS 66101



Ship Date: 22DEC06
ActWgt: 3 LB
System#: 8958253/INET2500
Account#: S *****

REF: LSO



Delivery Address Bar Code

PRIORITY OVERNIGHT

TUE

TRK# 7980 7175 7422

FORM
0201

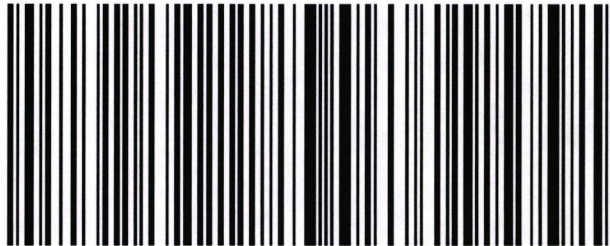
Deliver By:
26DEC06

MCI

A1

66101 -KS-US

76 KCKA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.